UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,500	04/15/2004	Akihiro Ogasawara	01-619	6569

23400 7590 09/12/2007
POSZ LAW GROUP, PLC
12040 SOUTH LAKES DRIVE
SUITE 101
RESTON, VA 20191

EXAMINER
BROWN, VERNAL U

ART UNIT	PAPER NUMBER
2612	

MAIL DATE	DELIVERY MODE
09/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/824,500	OGASAWARA, AKIHIRO
	Examiner	Art Unit	
	Vernal U. Brown	2612	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _18 June 2007_.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-9,11-22,24,25 and 27-32_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-9,11-22,24,25 and 27-32_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This action is responsive to communication filed on June 18, 2007.

Response to Amendment

The examiner has acknowledged the amendment of claims 1-9, 11-22, 24-25, 27-32 and

the cancellation of claims 10, 23, and 26.

Response to Arguments

Applicant's arguments with respect to claims 1-9, 11-22, 24-25, and 27-32 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-17, 24, 25, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by

Matsumoto European Patent Application Publication 0582081.

Regarding claim 11, Matsumoto teaches an unauthorized use restraining method for a

navigation device for a vehicle comprising:

generating a command for activating a privacy mode when the predetermined condition

of inputting a registered password (col. 3 lines 43-47);

disabling a function of displaying user data store in the navigation device given function

when it is determined that the entered password was previously registered (col. 3 lines 37-42)

and the given function accesses personal position information which is pertinent to the user of

the vehicle (col. 1 lines 35-34). Matsumoto teaches executing an authentication process of

verifying the user's identity in order to permit the function of displaying the user's stored

information (col. 3 lines 12-53).

Regarding claim 12, Matsumoto teaches the unpermitting of the function of displaying

user information (col. 3 lines 36-42). The unpermitting of the function of displaying user

information does not hinder the vehicle from traveling.

Regarding claims 13-14, Matsumoto teaches generating a command for activating a

privacy mode when the predetermined condition of inputting a registered password (col. 3 lines

43-47);

a determination unit configured for permitting the display of user data store in the

navigation device, the given function using stored personal position information and allowing

and allowing the personal stored information to be disclosed (col. 3 lines 43-53). The

unpermitting of the function of displaying user information does not hinder the vehicle from

traveling and is therefore not required for traveling. Matsumoto teaches displaying during the

prohibition state information indicating that the prohibition state is active by indicating the

message "prohibiting output' (col. 3 lines 37-42).

Regarding claim 15, Matsumoto teaches executing an authentication process of verifying the user's identity in order to permit the function of displaying the user's stored information (col. 3 lines 12-53).

Regarding claim 16, Matsumoto teaches an inputting unit (2) configured for inputting individual information unique to the user of the vehicle an a unit for storing the entered information (col. 2 lines 31-40). Matsumoto also teaches the authentication process is successfully executed when it is determined that a given relationship between the individual information and the stored information exists (col. 3 lines 43-47).

Regarding claim 17, Matsumoto teaches a function of setting and changing setting using the input device and browsing of setting content by displaying the user's data (col. 2 lines 31-45).

Regarding claim 24, Matsumoto teaches generating a command for activating a privacy mode when the predetermined condition of inputting a registered password (col. 3 lines 43-47); Matsumoto teaches unpermitting a function of displaying user data store in the navigation device when it is determined that the entered password was not previously registered (col. 3 lines 37-42) and the given function accesses personal position information which is pertinent to the user of the vehicle (col. 1 lines 35-34).   Matsumoto teaches displaying during the prohibition state information indicating that the prohibition state is active by indicating the message "prohibiting output' (col. 3 lines 37-42). The unpermitting of the function of displaying user information does not hinder the vehicle from traveling and is therefore not required for traveling

Regarding claim 25, Matsumoto teaches an inputting unit (2) configured for inputting

individual information unique to the user of the vehicle an a unit for storing the entered

information (col. 2 lines 31-40). Matsumoto also teaches the authentication process is

successfully executed when it is determined that a given relationship between the individual

information and the stored information exists (col. 3 lines 43-47).

Regarding claim 29, Matsumoto teaches switching between a privacy and non-private

mode by using a password to enter into a privacy mode (col. 3 lines 12-20) and the non-private

mode is entered into without inputting a password (col. 3 line 57-col. 4 line 9).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 6, 8-9, 27, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Stefan et al. US Patent 6212473 in view of Craine US Patent 7027915.

Regarding claim 1, Stefan et al. teaches a navigation device for a vehicle comprising:

a storing unit configures for storing personal position information pertinent to the user of the

vehicle (col. 2 line 65-col. 3 line 17) and teaches a navigation privacy mode in which a password

is required to access the stored user's information (col. 4 lines 47-50). Stefan et al. teaches a

commanding unit (18) configured to generate a command for permitting the use of the navigation

device, the given function using the stored personal position information and allowing the stored

personal information to be disclosed (col. 3 lines 36-67). Stefan et al. teaches a controller

provided by the route calculator (26) for executing the navigation functions (col. 4 lines 1-8).

Stefan et al. is however not explicit in teaching an authenticating unit configured for executing

an authentication process when the commanding unit generates the permitting command while

the given function is being disabled. Craine et al. in an art related invention in the same field of

endeavor of navigational system teaches an authentication unit provided by a remote computer

for executing a authentication process when the permitting command of the GPS receiver

transmitting a signal to the remote computer and enabling the function of monitoring and

reporting the traffic affecting events is enabled after the authentication process is completed (col.

5 line 57-col. 6 line 12).

It would have been obvious to one of ordinary skill in the art to modify the system of

Stefan et al. as disclosed by Craine et al. because the authentication process is necessary to

ensured that the entered password is a valid and the operation of the system is subjected to the

entry of the correct password in order to ensure the vehicle's navigation system is operating

according to the user's preferences.

Regarding claim 2, Stefan et al. teaches providing user input to the system (col. 2 line 65-col. 3 lines 5) that implies the setting and changing of the desired functions. Stefan also teaches browsing setting contents on the display (col. 3 lines 18-25).

Regarding claim 3, Stefan et al. teaches an input unit configured to for inputting individual information unique to the user of the vehicle (col. 2 line 65-col. 3 line 7), a registry for storing the information registered by the user (col. 4 lines 50-56).

Regarding claim 6, Stefan teaches a map data storage unit (col. 4 lines 13-16), map data includes information on facility such as toll roads (col. 3 lines 62-67), and a position detector configured for detecting a current position (col. 2 lines 44-50). Stefan teaches the command unit generates the unpermitting command for unpermitting a given function of using a particular route in the route calculator when the current position detected is the position of a given facility by generating an alternative route to avoid the use of toll road as requested by user profile (col. 3 lines 62-67, col. 4 lines 1-12).

Regarding claim 8, Stefan teaches a position detector configured for detecting a current position (col. 2 lines 44-49) and teaches transmitting the detected position to the route calculator (figure 3).

Regarding claim 9, Stefan teaches the vehicle is directed based on maneuver list output from the route calculator (col. 4 lines 17-20).

Regarding claim 27, Stefan teaches vehicle navigation device that determines the route to a desired destination address (col. 4 lines 1-12) but is not explicit in teaching the personal position information includes home address information. Craine et al. in an art related invention

in the same field of endeavor of navigational system teaches the navigation device storing

information identifying user's home address (col. 4 lines 42-47).

It would have been obvious to one of ordinary skill in the art for navigation device as

disclosed by Stefan to include information identifying the user's home address because the

navigation device determines the route to a desired destination address and the home address is a

desired destination.

Regarding 32, Stefan teaches storing memory point in the navigation device (col. 3 lines

60-67).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stefan et al. US

Patent 6212473 in view of Craine US Patent 7027915 and further in view of Treyz et al. US

Patent 6711474.

Regarding claim 4, Stefan teaches storing the execution result of the mapping data (col. 3

lines 18-25) but is silent on teaching storing the execution result regardless whether the power

supply to the in-vehicle device is stopped. Treyz et al. in an art related automobile personal

computer system teaches the use of a non-volatile memory (col. 13 lines 46-47) for maintaining

information even when the power is stopped.

It would have been obvious to one of ordinary skill in the art to store the execution result

in the storage unit regardless of whether a power supplied to the in-vehicle device is stopped in

Stefan because non-volatile memory retain its stored information when the power supply is

stopped in order to enable the system to function properly when power is restored.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stefan et al. US Patent 6212473 in view of Craine US Patent 7027915 and further in view of Losey European Patent Application Publication EP1101670.

Regarding claim 5, Stefan teaches privacy mode that is activated by the entry of the user identification information (col. 4 lines 47-56) but is silent on teaching the privacy mode is activated when the spare key is inserted in the key cylinder of the vehicle. Losey in an art related valet key invention teaches activating a private mode, which limits access to certain vehicle function when the valet key (spare key) is detected (paragraph 014).

It would have been obvious to one of ordinary skill in the art to modify the system of Stefan as disclosed by Losey because activating a private mode which limit access to certain vehicle function when the valet key (spare key) is detected improves the security of the vehicle by limiting access to the vehicle's operating function.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stefan et al. US Patent 6212473 in view of Craine US Patent 7027915 and further in view of Murphy US Patent 6232874.

Regarding claim 7, Stefan is silent on teaching the navigation device is powered without inserting a key to a key cylinder of the vehicle. Murphy in art related vehicle control teaches the command to restrict the operation of the vehicle is determined after the user biometric is received and authenticated (col. 5 lines 33-60). The vehicle device is therefore powered without inserting the key.

It would have been obvious to one of ordinary skill in the art to power the device without inserting the key in the key cylinder of the vehicle in Stefan as disclosed by Murphy because this allows the vehicles settings to be customized based on the identification of the user and further ensures that the person is authorized to operate the vehicle.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto European Patent Application Publication 0582081 in view of Treyz et al. US Patent 6711474.

Regarding claim 18, Matsumoto teaches displaying the execution results (col. 3 lines 43-47) but is silent on teaching storing the execution result regardless whether the power supply to the in-vehicle device is stopped. Treyz et al. in an art related automobile personal computer system teaches the use of a non-volatile memory (col. 13 lines 46-47) for maintaining information even when the power is stopped.

It would have been obvious to one of ordinary skill in the art to store the execution result in the storage unit regardless of whether a power supplied to the in-vehicle device is stopped in Matsumoto because non-volatile memory retain its stored information when the power supply is stopped in order to enable the system to function properly when power is restored.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto European Patent Application Publication 0582081 in view of Losey European Patent Application Publication EP1101670.

Regarding claim 19, Matsumoto teaches privacy mode that is activated by the entry of the user identification information (col. 3 lines 43-47) but is silent on teaching the privacy mode is activated when the spare key is inserted in the key cylinder of the vehicle. Losey in an art related

valet key invention teaches activating a private mode, which limits access to certain vehicle

function when the valet key (spare key) is detected (paragraph 014).

It would have been obvious to one of ordinary skill in the art to modify the system of

Matsumoto as disclosed by Losey because activating a private mode which limit access to certain

vehicle function when the valet key (spare key) is detected improves the security of the vehicle

by limiting access to the vehicle's operating function.

Claims 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Matsumoto European Patent Application Publication 0582081 in view of Stefan et al. US Patent

6212473.

Regarding claim 20, Matsumoto teaches a navigation device for recording user's private

information (col. 1 lines 17-22) but is not explicit in teaching detecting the position of a given

facility and unpermitting a given function. Stefan in an art related vehicle navigation system

teaches a map data storage unit (col. 4 lines 13-16), map data includes information on facility

such as toll roads (col. 3 lines 62-67), and a position detector configured for detecting a current

position (col. 2 lines 44-50). Stefan teaches the command unit generates the unpermitting

command for unpermitting a given function of using a particular route in the route calculator

when the current position detected is the position of a given facility by generating an alternative

route to avoid the use of toll road as requested by user profile (col. 3 lines 62-67, col. 4 lines 1-

12).

It would have been obvious to one of ordinary skill in the art to modify the system of

Matsumoto as disclosed by Stefan because detecting the position of a given facility and

unpermitting a given function allows the vehicle operator to obtain a route description based

their personal preferences and allow the vehicle operator to save time by avoiding congested

areas.

Regarding claim 22, Matsumoto teaches a navigation device for recording user's private

information (col. 1 lines 17-22) but is silent on teaching a transmitter configured for transmitting

the position detected. Stefan teaches a position detector configured for detecting a current

position (col. 2 lines 44-49) and teaches transmitting the detected position to the route calculator

(figure 3). Stefan teaches the control unit generates the unpermitting command for unpermitting

a given function of using a particular route (col. 3 lines 62-67, col. 4 lines 1-12).

It would have been obvious to one of ordinary skill in the art for the transmitter to

transmit the position detected when the controlling unit causes the prohibition state because this

enables the given function of the route calculation to be determined based on the present position

of the vehicle.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto

European Patent Application Publication 0582081 in view of Murphy US Patent 6232874.

Regarding claim 21, Matsumoto is silent on teaching the navigation device is powered

without inserting a key to a key cylinder of the vehicle. Murphy in art related vehicle control

teaches the command to restrict the operation of the vehicle is determined after the user

biometric is received and authenticated (col. 5 lines 33-60). The vehicle device is therefore

powered without inserting the key.

It would have been obvious to one of ordinary skill in the art to power the device without inserting the key in the key cylinder of the vehicle in Matsumoto as disclosed by Murphy because this allows the vehicles settings to be customized based on the identification of the user and further ensures that the person is authorized to operate the vehicle.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stefan et al. US Patent 6212473 in view of Craine US Patent 7027915 and further in view of Matsumoto European Patent Application Publication 0582081.

Regarding claim 28, Stefan teaches a navigation privacy mode in which a password is required to access the stored user's information (col. 4 lines 47-50) but is silent on teaching a navigation privacy mode switch. Matsumoto in an art related invention in the same field of endeavor of navigational system teaches switching between a privacy and non private mode by using a password to enter into a privacy mode (col. 3 lines 12-20) and the non private mode is entered into without inputting a password (col. 3 line 57-col. 4 line 9).

It would have been obvious to one of ordinary skill in the art to have a navigation privacy mode switch because this provides a more adaptable navigation device that secure user's private data and the storage of data useable by all users of the navigational system.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stefan et al. US Patent 6212473 in view of Craine US Patent 7027915 and further in view of Gormley US Patent 5513107..

Regarding claim 30, Stefan teaches a navigation device with privacy mode in which a password is required to access the stored user's information (col. 4 lines 47-50) but is silent on teaching the facility is a valet parking facility. Gormley in an art related vehicle control system teaches selectively activating a privacy mode such as a valet mode in order to restrict the operation of the vehicle (col. 7 lines 9-21) and valet mode implies the use of a parking facility.

It would have been obvious to one of ordinary skill in the art to restrict the operation of the vehicle in a parking facility because this ensures the vehicle is operated in a restricted area and further increase the security of the vehicle.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto European Patent Application Publication 0582081 in view of Gormley US Patent 5513107.

Regarding claim 31, Matsumoto teaches a navigation device with a privacy mode (col. 3 lines 12-20) but is silent on teaching the facility is a valet parking facility. Gormley in an art related vehicle control system teaches selectively activating a privacy mode such as a valet mode in order to restrict the operation of the vehicle (col. 7 lines 9-21) and valet mode implies the use of a parking facility.

It would have been obvious to one of ordinary skill in the art to restrict the operation of the vehicle in a parking facility because this ensures the vehicle is operated in a restricted area and further increase the security of the vehicle.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The

examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vernal Brown
September 4, 2007
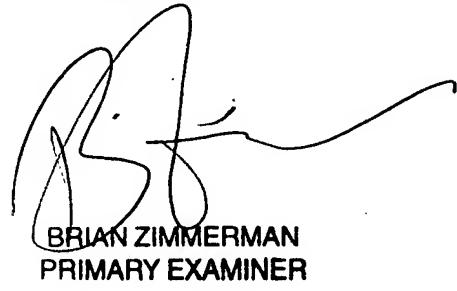
BRIAN ZIMMERMAN
PRIMARY EXAMINER